

### REMARKS

Claims 1-15 are pending in the application. Claim 15 is allowed and claims 2-13 are found to contain allowable subject matter.

Claims 1, 13 and 14 are objected to. Claims 1, 13 and 14 have been amended to clarify the claimed invention. In view of the clarification it is respectfully requested the objections be withdrawn.

Claim 1 has been amended to clarify the description of the connection path of the PVC. Claim 1 recites "a path connection means that causes said permanent virtual connection path connected between said network side device and the user side device to connect to one path of the connection request destination". This clarification is consistent with the specification and drawings. No new matter is entered.

The drawings are objected to as failing to show features recited in claims 2-4, 6, 7 and 13. Below are examples of the correspondence to the drawings. In addition the specification describes how certain functions may be implemented by software processing and hardware processing.

#### Claim 2

An example of the objected to element in claim 2 being shown in the drawings is Fig. 3, layer 2 handler 3-11 and Figs 23-25. The layer 2 handler 3-11 is described on page 9, 2<sup>nd</sup> paragraph of the specification. Figs. 8, 23-35 provide the more detailed description of the layer 2 handler.

#### Claim 3

An example of the objected to element in claim 3 being shown in the drawings is Fig. 4, layer 2 handler 4-11 and Figs 23-25. The layer 2 handler 4-11 is described on page 9, paragraphs

4-5 of the specification. Figs. 8, 23-35 provide the more detailed description of the layer 2 handler.

Claim 4

An example of the objected to element in claim 4 being shown in the drawings is Figs. 6 and 7, layer 2 handler 6-11 and 7-11 and Figs 23-25. The layer 2 handlers are described on page 10-11 of the specification. Figs. 8, 23-35 provide the more detailed description of the layer 2 handler

Claim 6

An example of the objected to element in claim 6 being shown in the drawings is Fig. 14a and 14b. For example the Layer 2 handler described in more detailed description on pages 14 and 15 of the specification.

Claim 7

An example of the objected to element in claim 7 being shown in the drawings is Fig. 15a and 15b. For example the Layer 2 handler described in more detailed description on page 15 of the specification.

Claim 13

An example of the objected to element in claim 13 being shown in the drawings is Figs. 11a, 11b, 11c. For example the Layer 2 handler 11-11 and with detailed description in page 13, paragraphs 1-3 of the specification.

In view of the above clarifications it is respectfully requested the drawing objections be withdrawn.

Claims 1 and 14 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Figures 26 and 27 of the present application in view of Kim.

It's pointed out in the Office Action response to argument section, paragraph 7, that the claim does not clearly describe the connection path of the PVC. As pointed out above the claim has been clarified.

Applicant's claimed invention is different from Figs. 26 and 27 and Kim in setting a PVC between a user-side device and a handler in advance and forming a path between the PVC and the specified connection destination by a connection request from the user-side device. Figs. 26 and 27 simply describe a PVC and Kim only describes a user terminal using an SVC to request to a control server for a PVC.


Kim does not teach that a user terminal, connected by a PVC, may have the PVC connected to connect to one path of the connection request destination and thereby forming a path between the user-side device and the specified connection destination.

For at least the foregoing reasons it is respectfully requested the rejection of claim 1 be withdrawn. Claim 14 depends from claim 1 and includes at least its distinguishing features in addition to the features in each dependent claim. Claim 14 is likewise in condition for allowance.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
Brian S. Myers  
Reg. No. 46,947

CUSTOMER NUMBER 026304  
Telephone: (212) 940-8703  
Fax: (212) 940-8986 or 8987  
Docket No.: FUJ 17.433 (100794-11493)  
BSM: mm